

**RESOLUTION NO. 74912**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE (I) APPROVING A CONSTRUCTION, AND PERMANENT FUNDING COMMITMENT OF UP TO \$10,893,000.00 FOR THE BROOKWOOD TERRACE FAMILY APARTMENTS L.P., A CALIFORNIA LIMITED PARTNERSHIP, IN WHICH ROEM DEVELOPMENT CORPORATION IS THE GENERAL PARTNER AND DEVELOPER, FOR DEVELOPMENT OF THE 84-UNIT BROOKWOOD TERRACE FAMILY APARTMENTS, AN AFFORDABLE MULTIFAMILY RENTAL PROJECT TO BE LOCATED AT 1350 E. SAN ANTONIO STREET AND MADE AVAILABLE TO EXTREMELY LOW-INCOME AND VERY LOW-INCOME HOUSEHOLDS, (II) APPROVING A FUNDING COMMITMENT OF UP TO \$500,000 FOR A PREDEVELOPMENT LOAN TO THIS PROJECT, TO BE REPAID FROM THE CONSTRUCTION/PERMANENT LOAN.**

**WHEREAS**, the Redevelopment Agency of the City of San Jose (the "Agency") has the obligation of providing assistance for low and moderate income housing (20% Housing Funds) using funds allocated under California Health and Safety Code Sections 33334.2 and 33487; and

**WHEREAS**, the Agency and the City entered into that certain Agreement dated September 28, 1990 in which the Agency delegated to the City authority to administer the 20% Housing Funds including the authority to make findings that use 20% Housing Funds in connection with certain housing projects outside a redevelopment area are of benefit to the Agency's project areas; and

**WHEREAS**, the City, on behalf of the Agency, has a program to administer and distribute 20% Housing Funds; and

**WHEREAS**, in order to attract capital investment, eliminate blight and achieve other redevelopment objectives there is a need to encourage and assist housing of all income levels throughout the City; and

**WHEREAS**, the provision of low and moderate income housing throughout the City near jobs will serve to facilitate employment opportunities for all citizens of the City, revitalize neighborhoods that are near or adjacent to redevelopment areas and generally assist efforts in redevelopment areas; and

**WHEREAS**, on July 1, 2008 ROEM Development Corporation ("ROEM") submitted a Notice of Funding Availability application of an acquisition loan in the amount of \$5,200,000 and a construction/permanent loan in the amount of up to \$10,625,000, including the acquisition loan, for the development of the 84-unit Brookwood Terrace Family Apartments located at 1350 E. San Antonio Street ("Project"); and

**WHEREAS**, in March 2009, ROEM acquired the subject site with an acquisition loan from the City in the amount of \$4,600,000; and

**WHEREAS**, staff now recommends approval of the predevelopment/construction/permanent funding commitment as more specifically set forth in the Director of Housing Report dated April 27, 2009.

**NOW, THEREFORE**, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. A construction/permanent loan commitment of up to \$10,893,00.00 for Brookwood Terrace Family Apartments, L.P., a California limited partnership, in which ROEM Development Corporation is the general partner and developer, for the development of the 84-unit Brookwood Terrace Family Apartments, an

affordable multifamily rental project to be located at 1350 E. San Antonio Street and made available to extremely low-income and very low-income households, as more specifically set forth in the Director of Housing Report dated April 27, 2009, is approved.

2. A funding commitment of up to \$500,000 for a predevelopment loan to the Project, to be repaid from the construction/permanent loan, is approved.

ADOPTED this 19th day of May, 2009, by the following vote:

AYES: CHU, CONSTANT, KALRA, LICCARDO, NGUYEN, PYLE, REED.

NOES: OLIVERIO.

ABSENT: CAMPOS, CHIRCO, HERRERA.

DISQUALIFIED: NONE.

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CHUCK REED  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk